

CRIMINAL NO. 1:07CR111

ERIC JAMES MAUK

ORDER

Federal inmates are not entitled to transcripts at Government expense absent some showing of a particularized need. ***United States v. MacCollom***, 426 U.S. 317, 326-27 (1976); ***Miller v. Smith***, 99 F.3d 120, 125 n.5 (4th Cir. 1996); ***United States v. Davis***, 972 F.2d 342 (table),

1992 WL 180109 (4th Cir. 1992). "An indigent is not entitled to a transcript at government expense without a showing of need, merely to comb the record in the hope of discovering some flaw." ***Jones v. Superintendent, Virginia State Farm*, 460 F.2d 150, 152 (4th Cir. 1972) (quotation and citation omitted).** Moreover, the Government "may constitutionally decline to furnish an indigent with a transcript until a need for it is shown[.]" ***Id.* at 153.** The Defendant here has not made that showing.

IT IS, THEREFORE, ORDERED that the Defendant's motion for a transcript of his sentencing hearing at Government expense is hereby **DENIED.**

The Clerk is directed to furnish Defendant a copy of his Judgment of Conviction along with a copy of this Order.

Signed: April 1, 2009



Lacy H. Thornburg
United States District Judge

